IN THE HIGH COURT OF JUDICATURE OF
ANDHRA PRADESH
AT HYDERABAD

THE HON'BLE MR. JUSTICE D.S.R.VARMA
AND
THE HON'BLE MR. JUSTICE D. APPA RAO

TAKEN UP WRIT PETITION NO.6428 OF 2007

Dated : April 05, 2007

Between:

Mohd. Saleem

Petitioner

AND

The Station House Officer,
Musheerabad Police Station,
Hyderabad and another

Respondents

THE HON'BLE MR. JUSTICE D.S.R.VARMA
AND
THE HON'BLE MR. JUSTICE D.APPA RAO

TAKEN UP WRIT PETITION NO.6428 OF 2007

ORAL ORDER: **(per THE HON'BLE MR. JUSTICE D.S.R. VARMA)**

Heard the learned Government Pleader for Home, representing the learned Advocate General, appearing for the respondents.

2. This writ petition is taken up on the basis of a 'telegram', dated 20.03.2007, by one Mohd. Saleem, R/o.16-2-742/F/2/10, Asmanghad, Malakpet, Hyderabad, to the Hon'ble the Chief Justice, High Court of Andhra Pradesh, Hyderabad, alleging that his son, by name Sami @ Mohd. Samiuddin @ Jahangir, was illegally detained since six days, by the first respondent-The Station House Officer, Musheerabad Police Station, Hyderabad, and that the petitioner has been apprehending danger to the life of the alleged detenu.

3. After receiving notices, issued by this Court, the Inspector of Police, Musheerabad Police Station, Hyderabad, filed counter-affidavit denying the allegations in the said telegram and stating, *inter alia*, that the alleged detenu is Accused No.1 in Crime No.8 of 2007, registered for the offences punishable under Sections 382, 411 of the Indian Penal Code read with Sec. 102 of the Code of Criminal Procedure, of Musheerabad Police Station; that in connection with the said offence, the alleged detenu was apprehended on 21.03.2007 along with Accused No.2; that the alleged detenu was produced before the IX Additional Chief Metropolitan Magistrate, Hyderabad, on 22.03.2007, who remanded him to judicial custody; that the alleged detenu was initially lodged at Central Prison, Chenchelguda, but, however, on 28.03.2007, he was enlarged on regular bail. The other details, furnished in the counter-affidavit, regarding the involvement of the alleged detenu in the offences, are not necessary.

4. However, in view of the involvement of the alleged detenu in the offences and having regard to the fact that he was arrested and remanded to judicial custody and subsequently released on bail, we do not see any merit in the writ petition, the same fails and is liable to be dismissed.

5. Consequently, the writ petition is dismissed, at the stage of admission. However, there shall be no order as to costs.

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JUSTICE D.S.R.VARMA

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JUSTICE D.APPA RAO

05TH APRIL 2007
MAS/KRK